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 ATRUA TECHNOLOGIES, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

AuthenTec, Inc., a Delaware corporation,

Plaintiff,

vs.

Atrua Technologies, Inc., a California
 corporation,

Defendant.

Case No. 3:08-cv-1423 PJH (WDB)

**STIPULATION AND [PROPOSED] ORDER
 REGARDING EXTENSION OF TIME TO
 CONDUCT MEDIATION**

Judge: Hon. Phyllis J. Hamilton

AND RELATED COUNTERCLAIMS

It is hereby stipulated by and between AuthenTec, Inc. and Atrua Technologies, Inc. that the mediation in this case shall take place on December 10, 2008. This case was referred to ADR on June 28, 2008. Karen Boyd was appointed as mediator by Order dated July 18, 2008. Thus, pursuant

1 to ADR Local Rule, the deadline to complete mediation September 28, 2008. The parties held a
2 scheduling conference with Mediator Boyd on August 5, 2008. The parties agreed to set the mediation
3 date for late October based on the anticipated status of the case at that date. The case, however, has
4 progressed more slowly than anticipated when the mediation was originally scheduled, and the parties
5 have agreed to postpone the mediation by approximately six weeks.

6 It is hereby stipulated that the mediation shall take place on December 10, 2008.

7 IT IS SO STIPULATED.

8 Dated: October 13, 2008

HOWREY LLP

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10 By: /s/Denise M. De Mory
11 Denise M. De Mory
12 Attorneys for Plaintiff
AUTHENTEC, INC.

13 Dated: October 13, 2008

GREENBERG TAURIG, LLP

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15 By: /s/J. James Li
16 J. James Li
17 Attorneys for Defendant
18 ATRUA TECHNOLOGIES, INC.

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 Dated: October 21, 2008



CERTIFICATION BY DENISE M. DE MORY PURSUANT TO GENERAL RULE NO. 45,

SECTION X. RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES

1. I am an attorney licensed to practice law in the state of California, and am a partner in the law firm of Howrey LLP, counsel for plaintiff AuthenTec, Inc. The statements herein are made on my personal knowledge, and if called as a witness I could and would testify thereto.

2. The above e-filed document contains multiple signatures. I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court. Pursuant to General Rule No. 45, I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct on October 13, 2008.

/s/Denise M. De Mory
Denise M. De Mory